

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 2:20-00022

ADAM MICHAEL MILLER

**MEMORANDUM OPINION AND ORDER**

Pending before the court is the defendant's motion to schedule guilty plea hearing and to appear by video for the plea hearing. (ECF No. 61.) The court **GRANTS in part** and **DENIES in part** the motion. The court **GRANTS** defendant's request to schedule a plea hearing: the plea hearing is hereby scheduled for 2:00 p.m. on August 10, 2020, in Charleston. For lack of good cause shown, the court hereby **DENIES without prejudice** defendant's motion to appear by video.<sup>1</sup>

Further, the court hereby **CONTINUES** the trial date to 9:30 a.m. on August 18, 2020, in Charleston. In deciding to continue the trial, the court considered the factors outlined in 18 U.S.C. § 3161(h) and finds that such a continuance fits within the excluded period authorizing "delay resulting from consideration by the court of a proposed plea agreement to be

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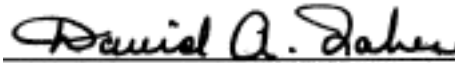
<sup>1</sup> If defendant's health or the situation at Huttonsville Correctional Center worsens significantly prior to the scheduled plea hearing date, the court may entertain a second motion to appear by video.

entered into by the defendant and the attorney for the Government.” Id. § 3161(h)(1)(G).

The Clerk is directed to send a copy of this Memorandum Opinion and Order to all counsel of record, to the United States Marshal for the Southern District of West Virginia, and to the Probation Office of this court.

IT IS SO ORDERED this 13th day of July, 2020.

**ENTER:**

A handwritten signature in black ink, reading "David A. Faber", is written over a horizontal line.

David A. Faber  
Senior United States District Judge